

ITEM NO.55+72

COURT NO.11

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(Civil) No. 505/2025

VODAFONE IDEA LTD. & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

FOR ADMISSION

IA No. 126897/2025 - CLARIFICATION/DIRECTION

WITH

Item No. 72

Writ Petition (Civil) No.512/2025

IA No. 128291/2025 - APPROPRIATE ORDERS/DIRECTIONS

WITH

Diary No.28009/2025 (mentioned today)

Date : 19-05-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) : Mr. Mukul Rohatgi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. Rishi Agrawala, Adv.
Ms. Madhavi Agarwal, Adv.
Mr. E. C. Agrawala, AOR

Item no.72 Mr. Shyam Divan, Sr. Adv.
 Ms. Anuradha Dutt, Adv.
 Ms. Suman Yadav, Adv.
 Ms. Nikhita Suri, Adv.
 Mr. Raghav Dutt, Adv.
 Mr. Gurudas Khurana, Adv.
 Ms. Seema Mehta, Adv.
 Mr. Rongon Chaudhary, Adv.
 Ms. B. Vijayalakshmi Menon, AOR

Diary No.28009/2025 : Mr. Arvind Datar, Sr. Adv.

For Respondent(s) : Mr. Tushar Mehta, Solicitor General

UPON hearing the counsel the Court made the following
O R D E R

1. Upon being mentioned Diary No.28009/2025 by the learned counsel Mr. Arvind Datar, this matter is taken on board along with Writ Petition(C)No.505/2025 & Writ Petition(C)No. 512/2025.
2. Heard Mr.Mukul Rohatgi, Mr. Arvind Datar and Mr. Shyam Divan, the learned counsel appearing for the petitioners in the respective writ petitions and Mr. Tushar Mehta, the learned Solicitor General appearing for the Union.
3. Three multi-national companies of repute in the field of telecommunication have come before this Court by way of three writ petitions under Article 32 of the constitution seeking the following reliefs:-

Writ Petition(Civil) No. 505/2025

"(i) Issue an appropriate writ, order or direction directing the Respondent-Union of India to act fairly and in public interest and not to seek/insist for

payment of interest, penalty and interest on penalty on AGR dues; and

(ii) Issue an appropriate writ, order or direction restraining the Respondent from insisting on payment of interest for the period of payment of dues in installments i.e. restrain the Respondent from making an arbitrary and illegal claim of interest on interest; and

(iii) In the alternative, in public interest, and in the interest of maintaining competition in the sensitive telecom sector, direct the Respondent to consider and decide the Petitioner's representation dated 17.04,2025 (Annexure P-22) in a time-bound manner"

Writ Petition (Civil) No.512/2025

(i) Issue an appropriate writ, order or direction directing the Respondent-Union of India to act fairly and on a non-discriminatory basis, in public upholding the tenets of Article 14 of the Constitution of India and not to seek/insist for payment of interest, penalty and interest on penalty on AGR dues; and

(ii) Issue an appropriate writ, order or direction restraining the Respondent from insisting on payment of interest for the period of payment of dues in installments i.e. restrain the Respondent from making an arbitrary and illegal claim of interest on interest; and

(iii) In the alternative, in public interest, and in the interest of maintaining competition and level playing field in the sensitive telecom sector, direct the Respondent to consider and decide the Petitioner's representations dated 04.04.2025 (Annexure P-24) and dated 15.05.2025 (Annexure P-25) in a timebound and equitable manner;

Diary No.28009/2025

(a) Issue an appropriate writ, order or direction

directing the Respondent to act in an equitable manner and not insist on payment of interest, penalty on the AGR dues finalised as a result of this Hon'ble Court's Judgment dated 24.10.2019 and subsequent Orders, in public interest and in the interest of fairness towards the Petitioners;

(b) Issue an appropriate writ, order or direction restraining the Respondent from insisting on payment of interest on the AGR dues for the ten-year period during which this Hon'ble Court allowed the dues to be paid in ten equal annual installments;

(c) Alternatively, in public and national economic interest, direct/allow the Respondent to consider and act upon the Petitioner's pending representation dated 29.11.2024 (Annexure P-10) in a time-bound manner"

4. It will be a very sad day if the highest Court of this Country starts entertaining Article 32 Writ Petitions on the same subject matter after the Curative Petitions are dismissed.
5. We firmly believe that these are misconceived writ petitions.
6. With the aforesaid, these petitions stand dismissed.
7. Pending application(s), if any, stands disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)